

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 2355 OF 2017
WITH
CIVIL APPLICATION NO. 2356 OF 2017
WITH
CIVIL APPLICATION NO. 3956 OF 2018
IN
FIRST APPEAL STAMP NO. 22810 OF 2017**

Shriram General Insurance Company Ltd	... Applicant
Versus	
Havaladar Fulchand Debey and another	... Respondents

.....

Ms. Nikhil Mehta, Advocate for the Appellant/Applicant
Mr. Vishwambhar M. Parkar, Advocate for the Respondent No. 1 and
for Applicant in CA No. 3956 of 2018.

.....

CORAM : A. S. CHANDURKAR, J.

DATE : 5th DECEMBER, 2018.

P. C.:

CIVIL APPLICATION NO. 2355 OF 2017

1. Though the prayer for condoning delay is opposed by the learned Counsel for the respondent No. 1, considering the reasons mentioned in the application, the delay in filing First Appeal stands condoned.
2. The civil application is allowed and disposed of.

CIVIL APPLICATION NO. 2356 OF 2017

1. As the applicant has deposited the entire amount of compensation, the execution of the impugned award shall remain stayed during pendency of the appeal.
2. The civil application stands disposed of.

CIVIL APPLICATION NO. 3956 OF 2018

1. Heard learned Counsel for the parties.
2. Perused the impugned judgment and award. In the facts of the case, the claimants are permitted to withdraw 50% of the amount of compensation as deposited. The claimants shall file undertaking within six weeks from today that if the appeal is allowed, the amount so withdrawn shall be repaid with interest at such rate the Court may direct. The remaining amount shall be invested in a fixed deposit.
3. Civil application is disposed of.

(A. S. CHANDURKAR, J.)